

LAW OFFICES  
**TRISTER, ROSS, SCHADLER & GOLD, PLLC**

1666 CONNECTICUT AVENUE, N.W., FIFTH FLOOR  
WASHINGTON, D.C. 20009

MICHAEL B. TRISTER  
GAIL E. ROSS  
B. HOLLY SCHADLER  
LAURENCE E. GOLD

PHONE: (202) 328-1666  
FAX: (202) 328-9162  
www.tristerross.com

KAREN A. POST  
Senior Counsel

ALLEN H. MATTISON†  
REA L. HOLMES‡  
†ALSO ADMITTED IN MARYLAND  
‡ALSO ADMITTED IN WISCONSIN  
ALEXANDER W. DEMOTS  
Of Counsel

December 14, 2012

**By Regular Mail and Fax to 202 219-3923**

Anthony Herman, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

Re: MUR 6697 - Response to Complaint on behalf of Montana  
Conservation Voters and Theresa M. Keaveny

Dear Mr. Herman:

Pursuant to 11 C.F.R. § 111.6(a), Montana Conservation Voters and Theresa Keaveny, in her official capacity, submit this response to the Complaint filed in this matter by Bowen Greenwood, Executive Director, Republican Party of Montana. For the reasons set forth below, the Commission should take no action with respect to the Complaint or, in the alternative, should find no reason to believe that Montana Conservation Voters and Theresa Keaveny violated the Federal Election Campaign Act as alleged.

First, the Complaint was incorrectly served on Ms. Keaveny in her official capacity as treasurer of Montana Conservation Voters ("MCV"). MCV is a nonprofit corporation exempt from federal income taxation under section 501(c)(4) of the Internal Revenue Code ("IRC"). MCV is not a political committee registered with the Federal Election Commission and, furthermore, Ms. Keaveny is not MCV's treasurer. MCV has a connected political committee, Montana Conservation Voters Congressional Action Fund ("MCVCAF"), which is not named in the complaint; and Ms. Keaveny is not the treasurer of the federal political committee.

Second, the Complaint fails to meet the requirements for a valid complaint because it fails to set forth a clear and concise recitation of facts which describe a violation of the statute or regulations by MCV or MCVCAF. See 11 C.F.R. § 111.4(d)(3). Specifically, the only facts described in the Complaint deal with a wholly separate television advertisement supporting the re-election of Senator Tester that was disseminated in July, 2012. The Complaint appears to suggest that because MCV is mentioned in the July 10, 2012 announcement regarding this pro-Tester television advertisement, it must be connected in some way to the distribution of the

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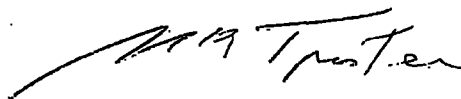
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mailer, which supported Dan Cox, an independent candidate in the same race. This assumption is without any logic or other factual basis in the Complaint or otherwise. It is pure speculation, not a description of facts. If the Complaint is sufficient to describe a violation by MCV with respect to the mailer, then it also would be sufficient to describe a violation by every other organization in Montana or elsewhere which supported Senator Tester's reelection.

Third, MCV and MCVCAF categorically deny having any role whatsoever in the production or dissemination of the mailer that is the subject of the Complaint. If called upon to testify, Ms. Keaveny would state that she has no knowledge of who produced the pro-Cox mailer, who paid for the mailer, or who disseminated the mailer. Indeed she had never seen the mailer until Mr. Greenwood announced to the media that he was filing an FEC Complaint, to which it was attached. Moreover, she would state that MCV and MCVCAF made no expenditures of any kind and at any time supporting the candidacy of Dan Cox, the independent candidate in the Senate race.

For these reasons, the Commission should take no action with respect to the Complaint or, in the alternative, should find no reason to believe that MCV or Ms. Keaveny violated the Federal Election Campaign Act or any FEC regulation as alleged.

Sincerely,



Michael B. Trister

cc: Ms. Theresa M. Keaveny